

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DONA LINTON individually and as  
Guardian to Q.L., her minor child,

**Plaintiffs,**

V.

NATIONAL RAILROAD PASSENGER  
CORPORATION d/b/a AMTRAK,

Defendant.

CASE NO. C18-5617 BHS

**ORDER GRANTING IN PART  
AND DENYING IN PART  
DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT AND TO  
SHOW CAUSE**

This matter comes before the Court on Defendant National Railroad Passenger Corporation d/b/a Amtrak's ("Amtrak") motion for summary judgment on punitive damages and Consumer Protection Act ("CPA") claim. Dkt. 11.

On October 30, 2019, Amtrak filed the instant motion. *Id.* On November 18, 2019, Plaintiffs Dona Linton, individually and as Guardian to Q.L., her minor child. (“Plaintiffs”) responded. Dkt. 14. On November 22, 2019, Amtrak replied. Dkt. 17.

Upon review of the motion, the Court grants the motion in part and denies the motion in part on the same grounds and for the same reasons set forth in *Mitchem v. Nat'l*

1      | *R.R. Passenger Corp.*, C18-5366-BHS, 2020 WL 91490 (W.D. Wash. Jan. 8, 2020) and  
2      | related cases cited therein.

3                 Regarding the remaining CPA claim, the Court will allow any party to show cause  
4          why the claim should not be severed and opened in a new case as was done in the related  
5          case of *Cottrell v. Nat'l R.R. Passenger Corp.*, C18-0072-BHS, Dkt. 53 (W.D. Wash.  
6          Feb. 26, 2020). Any response may be filed no later than March 6, 2020.

7                 **IT IS SO ORDERED.**

8                 Dated this 27th day of February, 2020.

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12                 BENJAMIN H. SETTLE  
13                 United States District Judge  
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